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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,206	09/25/2002	Kuo-Shing Huang	JCLA8739	8164

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J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

CHARLES, MARCUS

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 02/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,206

Applicant(s)

HUANG, KUO-SHING

Examiner

Marcus Charles

Art Unit

3682

MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This is the first action relating to serial application number 10/065,206, filed 09-25-2002.

Claims 1-20 are currently pending.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The draftsman has approved the drawing filed with this application as formal drawing.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, it is unclear as to what degree of tensioning is considered "proper tension".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Wolfe et al. (5,232,407). Wolfe et al. discloses an optical scanner comprising a casing with a transparent plate form (108), a pair of belt wheels (130, 138) inside the main casing, the belt (136) wraps around the wheels, a scanning module (100, 140) that moves back and forth inside the main body, the module (140) is attached to the belt (136) and is driven by the belt, a transmission system inside the main body and couple with one of the wheels for driving the wheel, a tension adjustment apparatus (148) mounted on the belt for adjusting tension in the belt.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 9-11, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf et al. (5,232,407) in view of DE(61286). Wolfe et al. disclosed a belt tension adjustment apparatus for providing tension in a scanner, a transmission comprising a transmission belt (136) coupled to wheels (134,138) and the tension adjustment apparatus (148) comprising a spring bowed in the middle with ends (158,160/164,166) gripping the transmission belt to provide tensioning in the belt. Wolfe et al. does not disclose that the spring is a plate spring. DE(61,286) discloses a tensioning adjustment apparatus comprising a plate spring (d, k') that grips a belt so as to increase the tension force and to balance the tension force on the sides of the tensioner. Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the spring of Wolfe et al. so that it is a plate spring in view of DE(61,286) in order increase the tension force and to balance the tension force on the sides of the tensioner.

In claim 2, it is apparent that the plate spring deforms elastically between different configurations depending on the forces that are exerted on the spring.

In claim 3, note the ends of the spring is for gripping the belt.

9. Claims 7-8, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe et al. in view of DE(61,286) as applied to claim 1 above, and further in view of (Fig.1, applicant's prior art. Wolfe et al. discloses the motor (130) but does not disclose the motor coupled to a gearset. Applicant's prior art disclose a motor (520) connected to a gearset (540) in order to control the transmission ratio to a desired value and to increase the transmission torque to the belt. Therefore, it would have been obvious to one of ordinary skill in the art to modify the apparatus of Wolfe et al. to include the gearset as disclosed by Applicant's prior art in order to control the transmission ratio to a desired value and to increase the transmission torque to the belt. It is apparent the belt is a toothed belt

10. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe et al. in view of (Fig.1, applicant's prior art. Wolfe et al. discloses the motor (130) but does not disclose the motor coupled to a gearset. Applicant's prior art disclose a motor (520) connected to a gearset (540) in order to control the transmission ratio to a desired value and to increase the transmission torque to the belt. Therefore, it would

have been obvious to one of ordinary skill in the art to modify the apparatus of Wolfe et al. to include the gearset as disclosed by Applicant's prior art in order to control the transmission ratio to a desired value and to increase the transmission torque to the belt. It is apparent the belt is a toothed belt.

Allowable Subject Matter

11. Claims 17-18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 4-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen (6,406,393, Newell (369,023), Koinzan (3,948,114), Yusef et al. (6,508,534) and Yusef et al. (6,598,956) disclose the tensioning of a belt by a spring. Driggers et al.(6,340,221), Ruhe et al.(5,964,542), Daniels et al.(5,431,371) and JP(08-30534) disclose the tensioning of a belt. JP (57-134054) discloses a leaf spring (10) having springs (30) connected at the ends for tensioning a belt.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (703) 305-6877. The examiner can normally be reached on Monday -Thursday 7:30 am-600 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



Marcus Charles
Primary Examiner
Art Unit 3682
February 3, 2004